

## ZONING COMMITTEE STAFF REPORT

FILE # 13 243494 and 14-095630

1. **APPLICANT:** Cullen LLC **HEARING DATE:** 3/27/14
  2. **TYPE OF APPLICATION:** Site Plan Review and Variance
  3. **LOCATION:** 2138, 2142 and 2146 Grand Ave
  4. **PIN & LEGAL DESCRIPTION:** 052823410096      Summit Wood Lots 35-37
  5. **PLANNING DISTRICT:** 14 **PRESENT ZONING:** RM2
  6. **ZONING CODE REFERENCE:** 61.402.c   61.203.c   66.2323
  7. **STAFF REPORT DATE:** 3/19/14 **BY:** Tom Beach
  8. **DATE RECEIVED:** 2/14/14 **DEADLINE FOR ACTION:** 4/15/14
- 

A. **PURPOSE:** Site plan review for a proposed 14-unit apartment building. Also, a variance for lot coverage (the building would cover 53% of the lot and the maximum permitted lot coverage is 35%).

B. **PARCEL SIZE:** 18,000 square feet (120' x 150')

C. **EXISTING LAND USE:** Three single-family houses

D. **SURROUNDING LAND USE:**

North: Apartments, single-family and institutional (RM2) (Within the St. Thomas campus boundary)

East: Single-family and apartment (RM2)

South: Single-family (R3)

West: Single-family and apartments (RM2)

E. **ZONING CODE CITATION:**

Section 61.402.c lists conditions for approval of site plans

Section 61.203.c lists conditions for approval of variances

Section 66.2323 establishes maximum lot coverage of 35%

Section 66.231.c provides a density bonus for structured parking. It says "in calculating the area of a lot for the purposes of applying the minimum lot area per unit requirement, the lot area figure may be increased by 300 square feet for each" structured parking space.

F. **PROJECT DESCRIPTION:**

- Four-story apartment building (39' tall)
- Building footprint covers 53% of the lot
- 14 four-bedroom apartments (The apartments are on floors 2, 3 and 4)
- 29 off-street parking spaces (25 spaces are in the building on the first floor with access from Grand Avenue. 4 spaces are off the alley)

- G. **DISTRICT COUNCIL RECOMMENDATION:** The Macalester Groveland Community Council met earlier in March but voted to lay it over until a meeting to be held on March 26.

## **FINDINGS AND STAFF RECOMMENDATION FOR THE VARIANCE FOR LOT COVERAGE**

- H. **FINDINGS:** A variance must meet the following six findings:

1. *The variance is in harmony with the general purposes and intent of the zoning code.*

This finding is not met. The variance is not in harmony with the purpose and intent to "prevent overcrowding of land and undue congestion of population." (Section 60.103.l) One of the reasons the zoning code allows additional density for structured parking is because structured parking uses less land than a surface parking lot and this can make it possible to provide more green space. However, the variance to allow the building to cover more of the lot would reduce the amount of green space on the property and this would not be in keeping with the intent of providing more green space.

The variance to allow a larger building is also not in keeping with the purpose and intent "to encourage a compatible mix of lands uses ... that reflect the scale, character and urban design of Saint Paul's existing traditional neighborhoods." (Section 60.103.i)

2. *The variance is consistent with the comprehensive plan.*

The site plan meets this finding. The comprehensive plan calls for increasing residential density and providing a variety of housing options.

### *The Land Use Chapter of the Comprehensive Plan:*

Maps in the Land Use Chapter of the Comprehensive Plan show this site in an area along Grand Avenue designated as a Residential Corridor. The Plan states that "the core goal of Strategy LU-1, as visualized in the land use maps and described in the subsequent policies, is higher density development." It goes on to say that "higher density development is not an objective to be sought solely for itself," but to "contribute to the goal of creating a vibrant, economically strong community that is environmentally sustainable;" and that policies in Strategy LU-1 "direct new, higher density development to Downtown, the Central Corridor, Neighborhood Centers, Residential and Mixed-Use Corridors, and Employment Districts." It states that "zoning standards and districts will be used to support the prevailing character of Established Neighborhoods and to allow higher density development in . . . Residential and Mixed Use Corridors." (pages 7-8)

The Land Use Plan talks about goals for densities

- "The range of densities permitted by the existing RM districts is 22 units to 54 units per acre. Several multi-family residential developments constructed in the past decade far exceed those densities. Densities of individual projects ranged from 40 units per acre to 90 units per acre. Similar densities in Residential Corridors ... will go far to achieving the objective of compact, mixed use development that supports transit." Page 8
- "Provide for development of housing in Established Neighborhoods, Residential Corridors and adjacent commercial areas consistent with the prevailing character and overall densities of these areas. The density goals are residential development of 4-30 acres per

acre in Residential Corridors....” In comparison, this project has a density of 32 units per acre (based on 14 units and a lot size of 18,000 plus half the adjacent alley)

*The Housing Chapter of the Comprehensive Plan:*

“Greater housing density will be the hallmark of the next 20-30 years. This density should be geographically focused on transit and commercial corridors....”

*Macalester Groveland Plan*

The plan says “Maintain the single family character of the district” but also says “Diversify housing to meet the needs of all income levels and lifestyles....”

3. *The applicant has established that there are practical difficulties in complying with the provision that the property owner proposes to use the property in a reasonable manner not permitted by the provision. Economic considerations alone do not constitute practical difficulties.*

This condition is not met. There are no practical difficulties that keep the property owner from developing multiple-family housing on the property at a lower density than what is being proposed.

The main consideration appears to be economic. The variance for lot coverage would allow the applicant to have more structured parking spaces and to use the density bonus for these spaces to have more apartment units on the property. The floor area for the upper three floors would also be larger than 35% of the lot to allow more/bigger apartment units.

4. *The plight of the landowner is due to circumstances unique to the property not created by the landowner.*

This condition is not met. The site is a flat, rectangular lot.

The applicant stated that site conditions, including ground water make it difficult to provide underground parking on the site. However, the property can still be used for multiple-family housing without variances. (Staff drew plans for one possible alternative that does not need variances that has 12 units – 11 with 4 bedrooms and 3 with 3 bedrooms. These plans are included in material attached to the staff report.)

5. *The variance will not permit any use that is not allowed in the zoning district where the affected land is located.*

This condition is met. The use of the property as multiple-family housing is allowed in the RM2 zoning district. The variance would just increase the number of units that could be built.

6. *The variance will not alter the essential character of the surrounding area.*

This condition is met. Although the area south of the alley is characterized by one- and two-family dwellings, there are a number of existing apartments and institutional buildings on Grand Avenue that cover most of the lot.

- I. **STAFF RECOMMENDATION FOR THE VARIANCE:** Staff recommends denial of the variance to permit the principal structure to cover 53% of the lot at 2138 - 2146 Grand Avenue based on findings 1, 3, and 4.

## **FINDINGS AND STAFF RECOMMENDATION FOR THE SITE PLAN**

J. **FINDINGS:** Section 61.402(c) of the Zoning Code says that in “order to approve the site plan, the planning commission shall consider and find that the site plan is consistent with” the findings listed below.

1. *The city's adopted comprehensive plan and development or project plans for sub-areas of the city.*

The site plan meets this finding. The comprehensive plan calls for increasing residential density and providing a variety of housing options.

### *The Land Use Chapter of the Comprehensive Plan:*

Maps in the Land Use Chapter of the Comprehensive Plan show this site in an area along Grand Avenue designated as a Residential Corridor. The Plan states that “the core goal of Strategy LU-1, as visualized in the land use maps and described in the subsequent policies, is higher density development.” It goes on to say that “higher density development is not an objective to be sought solely for itself,” but to “contribute to the goal of creating a vibrant, economically strong community that is environmentally sustainable;” and that policies in Strategy LU-1 “direct new, higher density development to Downtown, the Central Corridor, Neighborhood Centers, Residential and Mixed-Use Corridors, and Employment Districts.” It states that “zoning standards and districts will be used to support the prevailing character of Established Neighborhoods and to allow higher density development in . . . Residential and Mixed Use Corridors.” (pages 7-8)

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### *The Housing Chapter of the Comprehensive Plan:*

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### *Macalester Groveland Plan*

The plan says “Maintain the single family character of the district” but also says “Diversify housing to meet the needs of all income levels and lifestyles....”

2. *Applicable ordinances of the City of Saint Paul.*

The proposed development conforms to all applicable ordinances except for lot coverage. (The zoning code allows the principal structure two cover up to 35% of the lot and the apartment building covers 53%.)

Zoning standards regulating building height, setbacks and number of dwelling units were amended in 2013 for properties on Grand Avenue west of Fairview. Under the amended zoning standards, these properties are also subject to design Traditional Neighborhood design standards. The proposed apartment building conforms to these standards.

The maximum number of dwelling units is determined by the lot area. A bonus of 300 square feet of lot area can be given for each structured parking space. For the proposed building, the bonus for 25 structure parking spaces is 7,500 square feet of lot area which translates into four dwelling units. The building is only able to provide this many structured parking spaces because the first floor covers 53% of the lot.

3. *Preservation of unique geologic, geographic or historically significant characteristics of the city and environmentally sensitive areas.*

The site plan is consistent with this finding. The site and surrounding area do not have any unique geologic, geographic or historically significant characteristics. The site is a half block south of the West Summit Historic Preservation District but the proposed development would not affect the district.

4. *Protection of adjacent and neighboring properties through reasonable provision for such matters as surface water drainage, sound and sight buffers, preservation of views, light and air, and those aspects of design which may have substantial effects on neighboring land uses.*

The larger mass of the building that would be permitted by the variance would have a substantial effect on the adjacent properties. The first floor of the building would be 10' high and 100' long from front to back. The upper three floors are also larger than what would be permitted under the standard 35% lot coverage and would extend 72' from front to back.

5. *The arrangement of buildings, uses and facilities of the proposed development in order to assure abutting property and/or its occupants will not be unreasonably affected.*

Directing most of the off-street parking from the apartment instead of to the alley would help to reduce its impact on other properties that share the alley.

However, the large mass of the building would unreasonably affect views, light and air of abutting properties.

6. *Creation of energy-conserving design through landscaping and location, orientation and elevation of structures.*

The site plan is consistent with standard practices for energy-conserving design.

7. *Safety and convenience of both vehicular and pedestrian traffic both within the site and in relation to access streets, including traffic circulation features, the locations and design of entrances and exits and parking areas within the site.*

Staff from Saint Paul Public Works Traffic Division has reviewed the site plan and the Traffic Technical Memorandum prepared for the applicant by Westwood Professional Services. They determined that the plan is consistent with this traffic safety.

The plan calls for most of the cars parked on the site to use a new driveway on Grand Avenue. The site plan could be modified to direct this traffic out to the alley but this would raise possible concerns about the impact of that traffic on neighboring properties along the alley.

8. *The satisfactory availability and capacity of storm and sanitary sewers, including solutions to any drainage problems in the area of the development.*

The site plan is consistent with this finding. Stormwater from the site will be directed to underground storage pipes and then released to the City storm sewer in Grand Avenue. Staff from Saint Paul Public Works Sewers Division has approved the plan subject to minor revisions.

9. *Sufficient landscaping, fences, walls and parking necessary to meet the above objectives.*

The site plan calls for a hedge along the perimeter of the property and trees in the front yard. No trees are shown in the back yard. At least two shade trees should be planted in the back yard to reduce the visual impact of the building on neighboring properties.

The project provides 29 off-street parking spaces compared to requirement of 28 spaces.

10. *Site accessibility in accordance with the provisions of the Americans with Disabilities Act (ADA), including parking spaces, passenger loading zones and accessible routes.*

The site plan is consistent with this finding. Two ADA parking spaces and accessible routes are provided.

11. *Provision for erosion and sediment control as specified in the "Ramsey Erosion Sediment and Control Handbook."*

The site plan provides for standard measures for controlling erosion and sediment and is consistent with finding.

- I. **STAFF RECOMMENDATION:** Staff recommends denial of the site plan for a 14-unit apartment building at 2138 - 2146 Grand Avenue based on findings 2, 4 and 5.

## **ATTACHMENTS**

- Project overview and Traffic Memorandum submitted by the applicant
- Letters submitted by the public for the hearing
- Site plan and drawings of the proposed building
- Photos of the site and surrounding area

# **West Grand Apartments Site Plan Review Application Narrative**

February 13, 2014

Cullen LLC seeks to redevelop the property at 2138, 2142, and 2146 Grand Avenue in Saint Paul. The 0.41 acre site is currently occupied by two single family rental homes and one rental duplex. The proposed redevelopment will add to the vibrancy of the community by providing much needed housing on Grand Avenue with easy access to public transit and excellent proximity to both the Minneapolis and Saint Paul downtown areas.

## **Overview:**

Current Zoning is RM2. In addition to RM2 density and dimensional standards, the T2 design standards apply to new development. The proposed redevelopment plan includes a four story apartment building with 14 apartments and 29 parking spaces.

## **Legal Description:**

Property Addresses: 2138, 2142, and 2146 Grand Avenue

Section/Township/Range: 5-28-23

Plat: Summit Wood

Legal Description: Lots 35, 36, and 37

## **Building Description:**

The proposed building is a 32,000 sf market rate rental apartment building. The proposed construction is a Type I-A non-combustible building at grade where enclosed parking is provided. Above the parking there are three stories of Type V-A wood framed construction that hold the residential units for a total of four stories in height and a total of 39'-0" above grade. The upper levels step back from the alley with level four having the smallest footprint to keep the massing and scale of the building in character with the surrounding neighborhood.

The exterior architecture is designed to last the test of time and features high quality materials with brick and architectural precast concrete accents at the first level of the building with fiber cement board siding on levels two through four. Oversized windows have been added to the living rooms and punched window openings have been incorporated at the parking level to keep an active street front along Grand Avenue. The main entry to the building features a vertical accent wall, which is intended to be welcoming and inviting to residents and visitors alike.

**Density:**

The proposed apartment building has a maximum occupancy of 56 nonfamilial persons. The proposed occupancy is 70% of the maximum density achievable for the site. A higher occupancy building could be proposed with 20 apartments, 40 bedrooms, 37 structured parking spaces, and a maximum occupancy of 80 nonfamilial persons.

	Proposed Building	Maximum Density Alternative
Total Apartment Units	14	20
Total Bedrooms	56	40
Maximum Occupancy (4 persons/unit)	56	80
% of Maximum Density	70%	100%
2 Bedrooms Units	0	20
Lot Area Required per 2-bedroom Unit	1500	1500
4 Bedrooms Units	14	0
Lot Area Required per 4-bedroom Unit	1900	1900
Total Lot Area Required	26600	30000
Actual Lot Area	19166	19166
Lot Area Bonus Required	7434	10834
Structured Parking Spaces Required	25	37

**Parking:**

The proposed site plan provides 29 parking spaces. Structured parking for 25 spaces is provided at grade with access from Grand Avenue. Four parking spaces are provided in the rear yard with access from the alley. The existing properties make use of 10 rear yard parking spaces with access from the alley.

**Building setback:**

The proposed building is within all required setbacks. It should be noted that the setbacks of the proposed building are greater than the current setback of existing homes and accessory structures.

	Average Existing Setback	Proposed Building Setback
Front (Grand)	21'-3"	24'-0"
Side (East)	9'-4"	9'-0"
Side (West)	3'-5"	9'-0"
Rear Setback to Garage (Alley)	6'-3"	25'-0"



### **Variance Description - Lot Cover and Parking Access:**

Cullen LLC requests a variance to allow for principal structure lot cover in excess of 35% and to allow for parking access from Grand Avenue. Alternate plans for the site have located parking in the rear yard with access from the alley. Community feedback has raised concerns about the potential impact of additional parking and traffic on the alley. The proposed plan addresses these concerns by locating parking at grade beneath the apartment building rather than behind it. In order to accommodate the required parking within the principal structure, the proposed lot cover exceeds the limit from residential structures. A traffic study has been conducted to evaluate the potential impacts of parking access to Grand Avenue with results in the attached letter.

	Floor Area	Lot Cover
1 <sup>st</sup> story	10,300 sf	53%
2 <sup>nd</sup> / 3 <sup>rd</sup> stories	8,266 sf	42%
4 <sup>th</sup> story	7,227 sf	37%

#### ***Sec. 63.343 Maximum lot coverage***

*In residential districts, principal structures shall not cover more than thirty-five (35) percent of any zoning lot.*

#### ***Sec. 63.501.b.1. Accessory buildings and uses***

*Access to off-street parking shall be from an abutting improved alley when available, except where it is determined in the review of a site plan application that there are circumstances unique to the property that make this impractical, unreasonable, or harmful to the public safety.*

#### ***Sec. 63.310.e***

*Alley access from residential property. Off-street parking facilities in residential zoning districts shall be permitted access to an alley except where it is determined in the review of a site plan application that permitting alley access may be harmful to the public peace, health and safety.*

### **Alternate Site Plan Comparison:**

Cullen LLC has designed an alternate site plan without need for a variance. The alternate plan also provides an apartment building with four stories and 14 apartments. Parking in the alternate site plan is located in a detached two-level above grade parking structure accessible from the alley.

### **Conclusion:**

This is an exciting development opportunity in a great neighborhood and community. Though a similar development could be built with the same number of units without a need for a variance; we feel that the proposed option is a better fit with the character of the existing neighborhood and respects and balances the wishes of the developer, the city, and the neighbors.

The proposed development is less dense than the property would support and careful attention has been paid to gather feedback early in the design process, which is reflected in the current proposed design.

Over the last several months the developer has had in-person meetings as well as communications via phone and e-mail discussing various design options with city staff as well as the adjacent neighbors to garner feedback which has been incorporated into the current proposed design. In some cases there are competing interests but we feel that the current proposal with variance incorporates and balances many of the great suggestions we have collected via city and neighborhood meetings.

We appreciate your consideration of the Site Plan Review application and look forward to meeting with you to discuss the project in greater detail.



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## **MEMORANDUM**

Date: January 15, 2014

Re: **Cullen LLC West Grand Avenue Apartments  
Traffic Technical Memorandum:  
Planning-Level Review of Traffic Impacts  
File R0002935**

To: Graham Merry, Cullen LLC

From: Stephen J. Manhart, P.E., PTOE, PTP

### **Summary**

Westwood has completed a review of the traffic-related impacts of the proposed Cullen LLC West Grand Avenue Apartments encompassing the properties at 2138, 2142 and 2146 Grand Avenue in St. Paul, Minnesota (see Figure 1). The main objectives of this study are to identify the estimated trips generated by the proposed redevelopment and to estimate the level of development-related traffic at adjacent key intersections. Due to the size of the proposed redevelopment, a detailed traffic impact study (with peak hour traffic operations analysis at key intersections) will not be required.

### **Existing Conditions**

The intersection of Grand Avenue and Finn Street is side-street stop-controlled, with stop signs on the Finn Street approaches. There are currently bus stops located along Grand Avenue in the northeast and southwest corners of the intersection.

In 2012, a review of traffic impacts was conducted for the apartment building development directly to the east.<sup>1</sup> At that time, Westwood Professional Services conducted a.m. and p.m. peak hour turning movement counts at the intersection of Grand Avenue and Finn Street. Existing geometrics and peak hour traffic volumes at the intersection of Grand Avenue and Finn Street are shown in Figure 2. The peak hour traffic includes the traffic generated by the adjacent apartment development.

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<sup>1</sup> "Cullen LLC Grand Avenue Apartments Technical Traffic Memorandum", by J. Hagen, Westwood Professional Services, Eden Prairie, MN, April 25, 2012.



A review of the turning movement volumes at the intersection of Grand Avenue and Finn Street reveals that heaviest turning volumes in the morning and afternoon are to/from the north along Finn Street. This is expected given the proximity of the intersection to the St. Thomas campus located just north of Grand Avenue.

Bicycle and pedestrians were also considered. Pedestrian and bicycle volumes for each of the four approaches of the intersection of Grand and Finn, as determined in the 2012 Westwood apartment study, are shown in Figure 3. Bicycle travel patterns were directionally balanced at the intersection of Grand Avenue and Finn Street, while pedestrians tended to favor the crosswalks on the north side of Grand Avenue and the east side of Finn Street during the observed morning and afternoon peaks.

### **Proposed Redevelopment**

The proposed redevelopment is planned to be constructed in the properties at 2138, 2142 and 2146 Grand Avenue. The site currently comprises three houses with detached garages and surface parking that accesses the existing alley south of Finn Street. With construction of the proposed Grand Avenue Apartments, the existing houses and detached garages will be removed.

The proposed development will consist of a 14-unit apartment building. Parking for the proposed apartment building will be provided in a ground level lot (25 parking spaces) underneath the apartments and a small surface lot (4 spaces). Access to the ground level parking area is proposed via a driveway from Grand Avenue, while access to the surface parking area will be from the existing alley south of Finn Street.

### **Trip Generation**

Trip generation estimates for the proposed Grand Avenue Apartments were developed using the same procedure detailed in the analysis of the apartment building directly to the east. Since the trip generation rates provided in the ITE Trip Generation Manual are generally taken from suburban locations without significant pedestrian/bicycle/transit usage, they do not accurately reflect the trip generation characteristics of an apartment building located in an urban area near a college campus.

Therefore, trip generation rates were used from a recent study of six student housing apartment buildings surrounding the University of Minnesota – Twin Cities Campus.<sup>2</sup> This study revealed that student housing apartments generate approximately one-third of the amount of traffic of similar-sized generic apartment buildings. When reviewing the traffic study for the apartment

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<sup>2</sup> “Trip Generation Study – Private Student Housing Apartments”, by M. Spack & L. deLeeuw, Spack Consulting, Saint Louis Park, MN, April 12, 2012.

building directly to the east, City staff reviewed and concurred with the use of these rates. Therefore, Westwood proposes to use these rates in this analysis, as well. The resultant trip generation estimates for the proposed redevelopment are shown in Table 1.

**Table 1**  
**Trip Generation Estimate: Proposed Grand Avenue Apartments <sup>(1)</sup>**

Land Use	Size	Average Weekday Total	AM Peak Hour			PM Peak Hour		
			In	Out	Total	In	Out	Total
Student Housing Apartment Building	14 units	82	2	3	5	9	8	17

<sup>(1)</sup>Trip generation rates were based on the equations presented in the 2012 Spack Consulting study.

As shown above, the proposed Grand Avenue Apartment building will generate approximately 82 vehicular trips on an average weekday, 5 vehicular trips during the a.m. peak hour (with 2 inbound and 3 outbound), and 17 vehicular trips during the p.m. peak hour (with 9 inbound and 8 outbound).

Since the proposed West Grand Avenue Apartments will not generate more than 100 vehicular trips during the a.m. and p.m. peak hours, a traffic impact study is not required by the City of St. Paul.

### **Directional Trip Distribution**

Directional distribution of trips generated to and from this site was based on existing traffic patterns in the area. Figure 4 shows the estimated level of site-generated vehicular trips. The development will generate no more than 17 additional trips during the a.m. and p.m. peak hours. As vehicular trips are spread out to the nearby roadway system, the development-related traffic decreases to a point where only one or two additional cars will be added to existing turning movements.

Comparing the existing traffic volumes in Figure 2 with the estimated site-generated trips in Figure 4 reveals that the proposed Grand Avenue Apartments will add an additional 5 vehicles (or 1 percent) to the intersection of Grand Avenue and Finn Street during the a.m. peak, and an additional 17 vehicles (or 2 percent) during the p.m. peak hour. Since traffic volumes at urban intersections typically fluctuate 5 to 10 percent on a daily basis, the 1 to 2 percent increase in traffic volumes at the intersection of Grand Avenue and Finn Street will not likely be noticeable.

## **Conclusions**

This review of the traffic-related impacts of the proposed West Grand Avenue Apartments has yielded the following conclusions:

- A 2012 study of six student housing apartment buildings surrounding the University of Minnesota – Twin Cities Campus revealed that student housing apartments generate approximately one-third of the amount of traffic of similar-sized generic apartment buildings.
- The proposed Grand Avenue Apartments will generate approximately 82 vehicular trips on an average weekday, 5 vehicular trips during the a.m. peak hour (with 2 inbound and 3 outbound), and 17 vehicular trips during the p.m. peak hour (with 9 inbound and 8 outbound).
- Since the proposed Grand Avenue Apartments will not generate more than 100 vehicular trips during the a.m. and p.m. peak hours, a traffic impact study is not required by the City of St. Paul.
- The additional traffic generated by the proposed Grand Avenue Apartments is equivalent to approximately 1 to 2 percent more traffic than existing conditions at the intersection of Grand Avenue and Finn Street. Since traffic volumes at urban intersections typically fluctuate 5 to 10 percent on a daily basis, this increase will not likely be noticeable.

Attachments: Figures 1 – 4

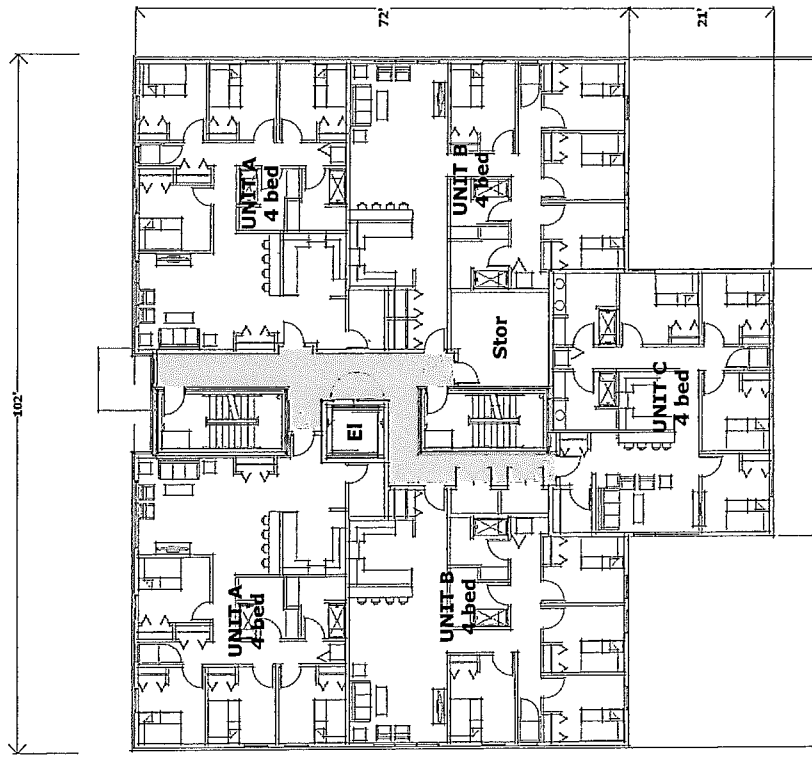
cc: Matt Masica, Pope Architects



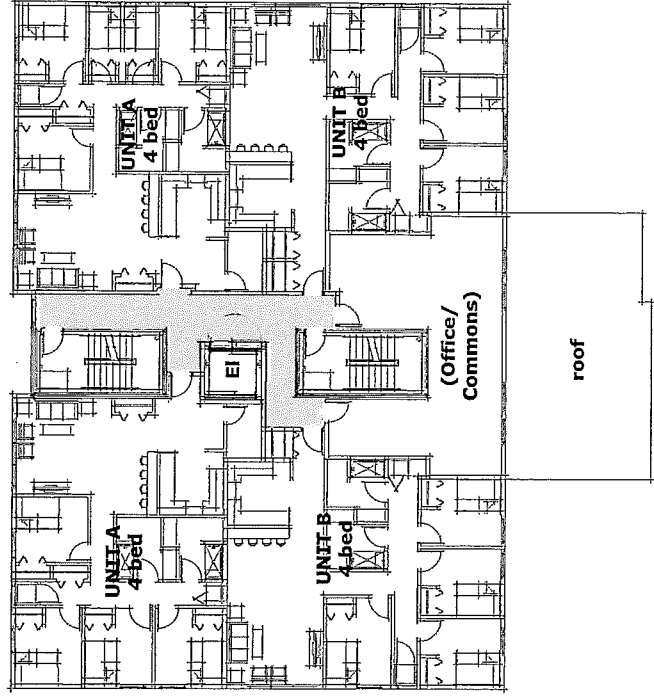
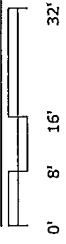




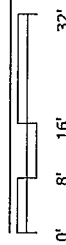
**LOT COVERAGE**  
LOT AREA: 19,166 SF (INCL 1/2 ALLEY)  
BLDG AREA: 10,300 SF  
COVERAGE RATIO: 53%

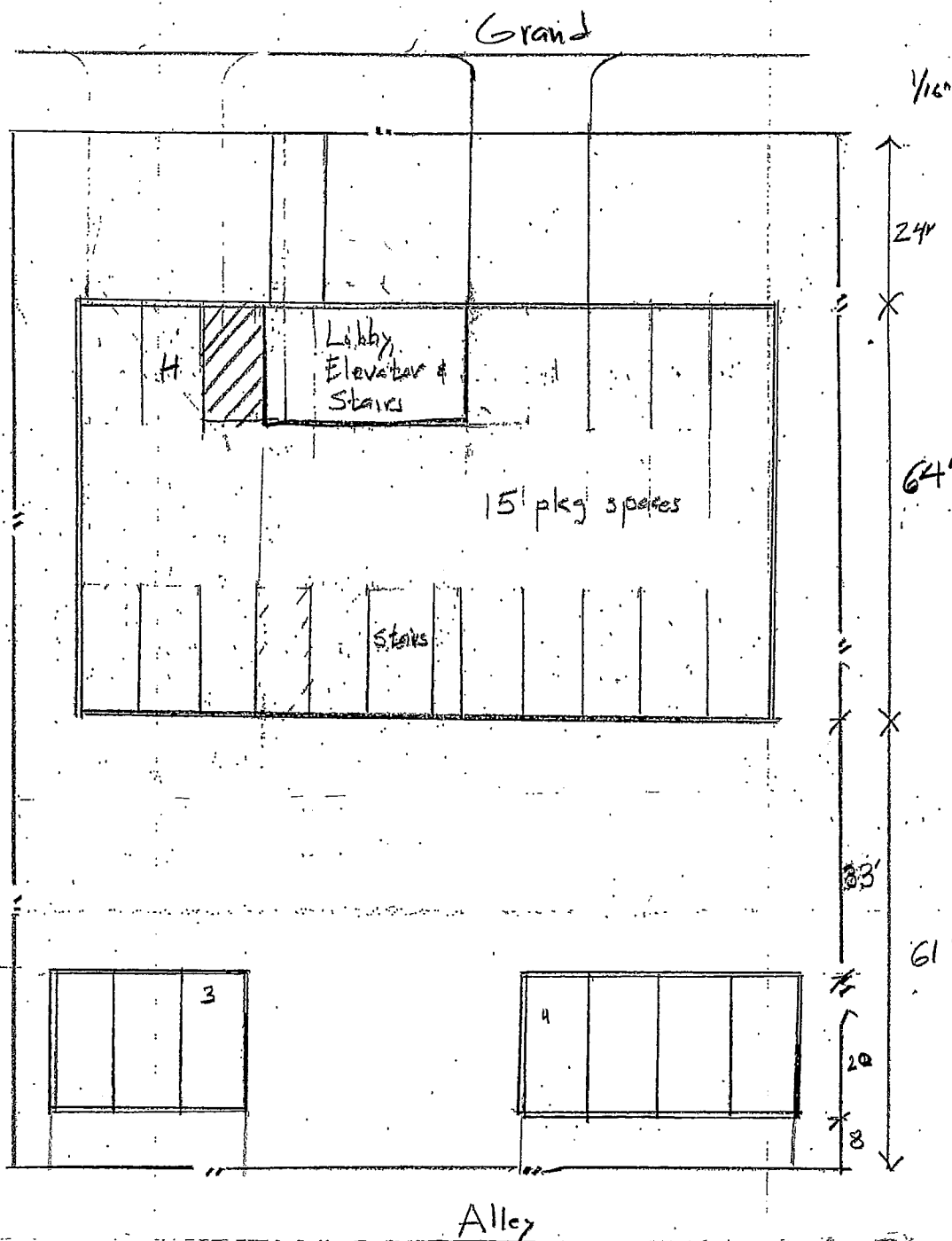


SECOND AND  
THIRD FLOOR PLAN 8,266 SF



FOURTH FLOOR PLAN 7,230 SF





Smaller building that could be built without variances  
(Prepared by staff)

**Lot coverage**

34%

102' x 64'

19,166 sf

building foot print = 6528 sf

Lot area (including half the adjacent alley)

(6528 sf / 19,166 sf = 34%)

**Number of units**

12 total units permitted based on lot area

- 9 4-bedroom units
- 3 3-bedroom units

23,666 sf

Lot area (including density bonus of 300 sf for each structured parking space and half the adjacent alley).

**Parking**

22 parking spaces required

22 parking spaces provided

- 15 structured spaces
- 7 spaces in detached garages

First floor/Ground level

sheet 1 of 2

TB 3/17/14

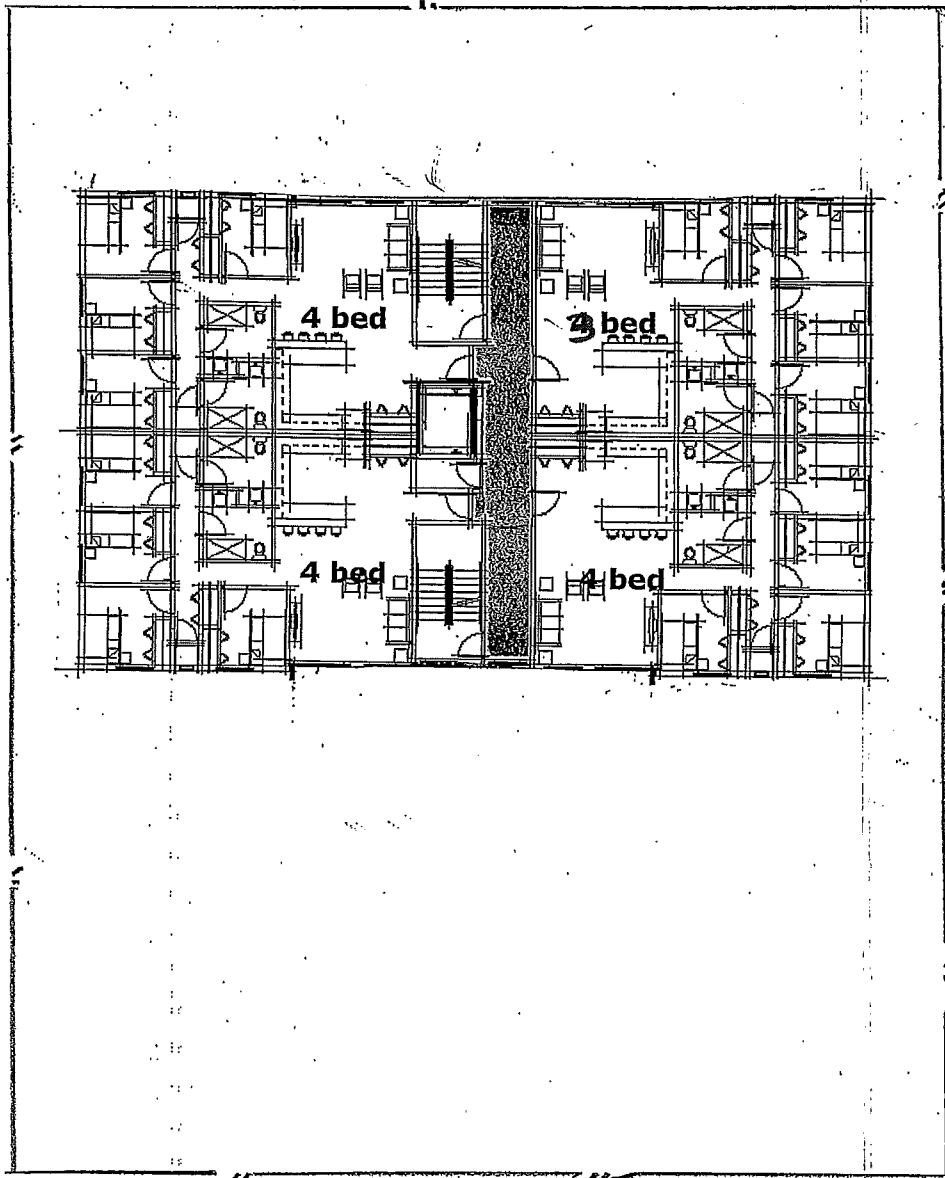
Grand

1/16"

24'

64'

61'



Alley

Smaller building that could be built w/o Variances  
Floors 2, 3 + 4

Sheet 2 of 2

## Beach, Tom (CI-StPaul)

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**From:** Justin Revenaugh <justinr@umn.edu>  
**Sent:** Wednesday, March 19, 2014 9:23 AM  
**To:** Beach, Tom (CI-StPaul)  
**Subject:** Variance for west Grand Ave  
**Attachments:** Variance.docx

File #: 13-243494 and 14-095630

Variance Request for 2138, 2142 and 2146 Grand Avenue

St. Paul Planning Commission Zoning Committee

I write as a resident of Mac Groveland recommending against approval of the variance request referenced above.

As you are aware, zoning regulations for the West Grand area were revised just last year, largely in response to the 5-story student apartment/dorm building erected just east of the proposed 56-student apartment structure. Limits on height, lot coverage and minimum set-back were set to balance needs for higher density housing on transit lines with a long-established residential neighborhood to the south. Many homeowners, like myself, worked hard to make our voices heard during the zoning review. We didn't get everything we wanted, nor did developers—the sign of a good compromise. But here we are, the new regulations barely in place, and a major variance is being requested by the same developer who precipitated the revisions in the first place.

Mr. Merry's development on the south side of Grand between Finn and Cretin will leave that block with only one home remaining (a rental). Two years ago, there were seven. A stretch of Grand that used to house 24 students will now house 136. That's an enormous increase in density, an increase that exerts enormous influence on the residential streets to the south. Our neighborhood has seen significant increases in on-street parking, loud outdoor activities well after 10 pm and traffic throughout the day. There is little enthusiasm in the neighborhood for a second large developing further aggravating these issues. But we understand that the new development will happen whether we like it or not. It does not, however, have to be developed in violation of the new zoning regulations.

We have been told that there are only two options for the development. One, call it plan B (since it seems that Mr. Merry doesn't want to build it) calls for structured parking separate from the building with access off the alleyway. Mr. Merry claims that Plan B does not require a variance. Plan A, which definitely does require a variance, has parking as the "first floor" of the structure with access to/from Grand Avenue. Having lost a floor to parking, Mr. Merry wants a larger footprint to maintain 56 bedrooms. A few of the neighbors who

share the alley would prefer access to/from Grand. I don't blame them, St. Paul alleys have enough traffic as is. Adding 28 more cars would make a bad situation worse. On this basis alone, Mr. Merry claims neighbor support for Plan A.

This raises several questions: (1) is it possible to build the apartments with parking access from Grand without a variance? This would satisfy alley neighbors and avoid setting a dangerous precedent (that the new zoning is easily circumvented). (2) Can Mr. Merry actually develop the site with 56 bedrooms and associated parking without a variance? In other words, is Plan B a valid plan or would it too require a variance? Neither question has been answered in the Mac-Groveland Housing and Land Use committee, the WSNAC review or the most recent Mac-Groveland Community Council Meeting. In all three cases, we were told that granting the variance will result in a more-community friendly development. It is the opinion of many who have attended these meetings that Plan B was designed to be as community "unfriendly" as possible. In other words, that it is a straw plan intended to curry support for the variance and not a meaningful (or perhaps even possible) alternative.

We feel that the options for development have not been thoroughly examined; that there may very well exist an alternative plan that allays concerns about alley traffic and does not require a variance. I recommend denying action on the variance until such time as all options have been investigated, and that the investigation take heed of the tremendous alteration in neighborhood structure Mr. Merry's two developments will cause. Regardless of how Mr. Merry represents the developments, they are student housing. At a time when St. Thomas has dorm vacancies, it would seem that there is not crushing need for addition dorm-style housing. Given this, the freshness of the new zoning and the clear voice of the community, now would seem like the least apt time to grant an optional variance.

Sincerely,

Justin Revenaugh

Kelly MacGregor

Emma Revenaugh

Silas Revenaugh

2128 Lincoln Avenue

St. Paul, MN 55105

651-698-3916

**Beach, Tom (CI-StPaul)**

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**From:** Diatta, YaYa (CI-StPaul)  
**Sent:** Tuesday, March 18, 2014 2:12 PM  
**To:** Beach, Tom (CI-StPaul)  
**Subject:** FW: Letter of opposition to the Cullen LLC West Grand Avenue Variance Request

**From:** Rachel Westermeyer [<mailto:weste065@umn.edu>]  
**Sent:** Tuesday, March 18, 2014 12:45 PM  
**To:** Beach, Tom (CI-StPaul); Diatta, YaYa (CI-StPaul); Stark, Russ (CI-StPaul); Henningson, Samantha (CI-StPaul)  
**Cc:** Rachel Westermeyer; John W. Hershey  
**Subject:** Re: Letter of opposition to the Cullen LLC West Grand Avenue Variance Request

Dear Tom, Yaya, Russ and Samantha,

As co-chair of the West Summit Neighborhood Advisory Committee (WSNAC), I am sharing this letter of opposition to the Cullen LLC West Grand Avenue Variance Request which was sent to the Zoning Committee of the St. Paul Planning Commission.

Sincerely,

Rachel M. Westermeyer, WSNAC co-chair

March 18, 2014

To: Zoning Committee of the St. Paul Planning Commission  
Gaius Nelson, chair of the Zoning Committee  
Barbara Wencil, chair of the St. Paul Planning Commission

From: West Summit Neighborhood Advisory Committee  
RE: Cullen LLC West Grand Avenue Variance Request

The West Summit Neighborhood Advisory Committee (WSNAC) voted at its March 11, 2014 board meeting to recommend to the Zoning Committee of the St. Paul Planning Commission to deny the West Grand

Avenue Cullen LLC variance request. Nine neighbors attended the WSNAC meeting. Not one neighbor spoke in support of the variance. The committee passed the motion to deny the variance by a 4-1-4 vote.

The committee feels strongly that the city should honor the sanctity of the recently adopted 2013 West Grand Avenue zoning code amendments, thereby honoring the complex community process and zoning study that helped create it. The committee is not expressing an "anti-development sentiment," it merely wants the developer "to build within the box" established by the recent amendments to the zoning code.

The committee believes that granting a variance on this initial West Grand Avenue project under the revised zoning code could set a precedent for future projects in this area requiring variances.

Committee members also expressed concern that the variance fails to satisfy the six requisite factors for granting a variance according to the Board of Zoning Appeals "A. VARIANCE REQUESTS" handout, items 1 - 6.

The West Summit Neighborhood Advisory Committee respectfully requests that this letter be made a part of the public record.

Sincerely,

John Hershey & Rachel Westermeyer, WSNAC co-chairs

cc: Tom Beach & Yaya Diatta, St. Paul DSI; Russ Stark & Samantha Henningson, St. Paul Ward 4



**Beach, Tom (CI-StPaul)**

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**From:** Betsy Judkins <weatherqueen@comcast.net>  
**Sent:** Monday, February 24, 2014 6:09 PM  
**To:** Beach, Tom (CI-StPaul)  
**Subject:** Variance for West Grand Ave Apartments

I live in this MacGrove neighborhood. NO MORE variances. NO MORE apartments. From Betsy on Mount Curve.

**Beach, Tom (CI-StPaul)**

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**From:** Tammywthomas <tammywthomas@aol.com>  
**Sent:** Monday, March 10, 2014 1:36 PM  
**To:** Beach, Tom (CI-StPaul)  
**Subject:** Merry variance

Dear Mr Beach,

I would like to go on record as saying that I'm NOT in support of Graham Merry's request for a variance. We, as neighbors, fought hard for the zoning restrictions that are now in place. It would be a huge injustice for all involved.

Sincerely,

Tammy Thomas

2135 Lincoln Ave

Sent from my iPhone

## Beach, Tom (CI-StPaul)

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**From:** Tammywthomas <tammywthomas@aol.com>  
**Sent:** Tuesday, March 11, 2014 4:50 PM  
**To:** Rachel Westermeyer  
**Cc:** Cheryl Fogarty; mgcc@macgrove.org; <joel@joelclemmer.org>; Beach, Tom (CI-StPaul)  
**Subject:** Merry's proposed variance

Dear Members of the Macalester Groveland Community Council and Members of the Housing and Land Use Committee:

My name is Tammy Thomas and I live at 2135 Lincoln Avenue. I am writing this email to clarify that I do NOT support Graham Merry's proposed apartment building and variance request. I did raise my hand in support of the variance at the Housing and Land Use Committee meeting, but since that meeting, I have learned more about the proposal and the variance process and now it's very clear to me that I do NOT support this request. Most importantly, I would like to say that I appreciate that some of you at that meeting may have supported the variance request because you saw it as a way to protect alley neighbors like me from extra traffic in our alley. But after learning more, I don't think this is the way to help us.

I think Mr. Merry should have to build a building that meets all the zoning code requirements. I hope it is a smaller building with fewer students, since we already have 80 students living in his other building and his current proposal would just add 56 more. I know Mr. Merry says he has other designs that he can build without a variance. I think he should have to submit one those designs first instead of asking for a variance and he should let the City review it. I also don't understand why the City went to all the trouble to carefully study the zoning on the west end of Grand Avenue and update all the zoning requirements, if developers get to just build whatever building they want to now anyway. But the important thing to me is that if Mr. Merry decides to propose a different plan for a building that does fit the zoning code, then I think the City and the district council and the neighbors and Mr. Merry can have a better discussion at that time about the best way to handle cars. I don't think we should confuse the two issues right now because I think the question of whether cars should enter parking areas through an alley or from a street is a completely separate question from whether Mr. Merry should be allowed to build a bigger building than the zoning code allows. Why can't he build a building that fits within the code AND has a driveway on Grand Avenue?

I do not support Mr. Merry's request to build a bigger building. I hope you will help me and my neighbors and ask the City to deny the request. I understand that some of you will have to change your earlier vote, and I am asking you to do that, especially if you cast that vote because you thought you were helping me and my alley neighbors. I think the best way to help us is to ask the City to hold Mr. Merry to the zoning code and if he has a building design that meets the code, then everyone can work with him on a driveway and parking design that really does address the neighborhood concerns.

Thank you.

Tammy Thomas

**From:** David Gibson <dagibson@gmail.com>  
**Sent:** Tuesday, March 11, 2014 10:37 AM  
**To:** Beach, Tom (CI-StPaul)  
**Subject:** Cullen LLC Site Plan and Variance Request - 2138, 2142, and 2146 Grand Ave.

My name is David Gibson. My husband, Ryan Coon, and I live at 2153 Lincoln Ave. Our home sits across the alley and one lot West of the location of Cullen's proposed apartment building. We attended the February 27, 2014 Housing and Land Use Committee (HLU) meeting regarding the project.

We reviewed the initial apartment proposal submitted to the HLU and we felt that Cullen LLC had a design which mitigated the impact on the alleyway and the block in general. Specifically, we appreciated that the parking area is entered from Grand Ave. We also appreciated that the building setbacks allowed for sufficient area behind the building to accommodate limited parking, waste receptacle storage, and potentially some greenery. Ultimately, we are very concerned about how higher density housing (and traffic) on the other side of our alley will impact our use and enjoyment of our home.

During the HLU meeting, after the community discussion was ended, the HLU made "friendly" amendments to have the building set back from Grand Ave. by an additional 10 feet. This amendment was concerning to us and we do not support allowing the setback to be pushed 10 feet farther away from Grand Ave and into the alley.

There are several reasons we feel a change of the initially proposed setback will cause further issues for the neighborhood:

1. There are multiple apartment buildings constructed on this block. These older apartment buildings utilize the alley for parking. There are also multiple houses that each have two and three car garages built close to the alley. As a result, the alley has substantial use and very limited space. The space is especially limited in the winter as the different structures create a lack of space to put snow. If the proposed apartment building is closer to the alley, this will apply further pressure to the space limitations and will result in more cars being parked into the alley as the snow builds up. With the original setbacks proposed, there will be an additional 10 feet of area between the building and the alley to allow for snow storage and maneuvering waste storage and cars.
2. This would push the building farther back from Grand Ave. than the rest of the buildings and would look odd when walking down the block.
3. The building would be closer to the single family homes on the other side of the block (the homes facing Lincoln). This would make the building even more noticeable when residents are sitting in their back yards.
4. With traffic entering and exiting on Grand, a further setback from Grand would result in a longer driveway in the front and would look less appealing for people passing by the building.

It would be our preference that no apartment building be constructed on the proposed site. That being said, we understand that development may occur and that the lots are zoned to allow for a four story apartment building.

Overall, we would like a smaller building with fewer occupants within the zoning guidelines established, while still having structured parking that enters and exits from Grand Ave. If the City of Saint Paul chooses to grant Cullen's variance request, we would prefer that it approve the setbacks as initially proposed by Cullen, not as amended by the HLU.

Sincerely,  
David Gibson  
Ryan Coon

**From:** Cheryl Fogarty <fogartybriancher@msn.com>  
**Sent:** Wednesday, March 12, 2014 1:07 PM  
**To:** Beach, Tom (CI-StPaul)  
**Cc:** Stark, Russ (CI-StPaul); Henningson, Samantha (CI-StPaul)  
**Subject:** letter to the Zoning Committee

**Importance:** High

Dear Mr. Beach,  
Please provide our comments to members of the Zoning Committee prior to the public hearing on March 27th.

*Dear Zoning Committee Members:*

*As Lincoln Avenue neighbors within 350 feet of the proposed West Grand apartment building, we strongly oppose granting Graham Merry a zoning variance for his second private student dorm on the same block of Grand Avenue. The new zoning requirements were put in place to maintain appropriate density in the mid block areas of West Grand as a means of maintaining the residential/mixed use character of West Grand and protecting the neighborhoods south of Grand from overbuilding by developers. Much thought and effort from neighbors and city planners went into the new requirements and in the end a compromise was reached that most neighbors can live with. Now Mr. Merry wants to derail the new zoning requirements so he can build to house 56 students and 28 cars.*

*We do not see how Mr. Merry's application for a variance meets the 6 standards for a variance request or is consistent with the 11 provisions of the site plan review of the Legislative Code. We believe the Zoning Committee would have a legal basis for denying this variance request.*

*His design to cover 53% of the lot would impinge on his Grand Avenue neighbors' lots and his driveway access on Grand would eliminate several Grand Avenue parking spaces which are already at a premium. Many of our Grand Avenue neighbors already have to park on Lincoln and walk around the block to their homes.*

*We neighbors have seen Mr. Merry over the past few months sketch out three different versions of the building he can build without a variance. So why is he proposing the building that requires a variance? He has lobbied the neighbors directly behind his lots that the variance will prevent excess traffic in the alley so some of them have supported his request. His argument to decrease alley traffic does not justify violating the zoning requirements. We do not believe what he has proposed are the only options. A less dense building that does not require a variance is another option.*

*We hope the Zoning Committee members will consider the long and difficult process we all went through to establish new zoning requirements for West Grand and not allow this proposed breach of the zoning code.*

*Thank you for your consideration of these comments.*

Brian and Cheryl Fogarty  
2166 Lincoln Avenue

**Beach, Tom (CI-StPaul)**

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**From:** Clarence Chaplin <cachaplin@mac.com>  
**Sent:** Tuesday, March 18, 2014 4:28 PM  
**To:** Beach, Tom (CI-StPaul)  
**Subject:** Mr. Merry's application for a variance at City Hall, March 27th at 3:30 PM

Mr Beach,

I live at 1921 Lincoln Ave and attended a WSNAC meeting on March 11 where Mr Merry's request for a variance to the zoning code was discussed, and subsequently not supported by vote. I am deeply concerned about this request for a variance. My property backs up to Grand Ave. I understand the need to increase density, especially along transit corridors. I have two and three story apartment buildings behind me on Grand Ave and understand that comes with the territory.

Because of concerns about the height and size allowed in the old zoning code that resulted in a fifty foot high "dorm" being built on Grand Ave, our neighborhood expended a lot of time and effort to provide comments and guidance for changes to the zoning code along Grand between Cretin and Fairview. As I understand the current variance request, it involves asking the city to allow a larger building footprint than the revised zoning code allows for the area along Grand Ave between Cretin and Fairview. I also understand that variances may be granted when there is something unique about that property that requires a variance. A variance for a larger footprint building does not seem to meet that test. I deserve the peace of mind that comes with knowing that the city will stand behind the current code and not allow variances to build a bigger footprint structure that appears motivated by the desire to increase the cash flow.

The type of building is also important to the liveability of the residential neighborhood that borders Grand Ave. While this may not be pertinent to the matter before the zoning commission as this time, it is for great importance to me. Buildings designed specifically for students are going to be more disruptive. They also take students away from campus dorms and put them in a less supervised environment. Doug Hennes, of the University of St. Thomas, stated at the recent WSNAC meeting that the availability of this private dormitory space has had a negative impact on the university's ability to fill its comparable apartment housing. It's also unfortunate that the building is getting a reputation for housing sophomores, who often require a more supervised campus environment.

I ask the zoning committee of the Planning Commission to reject this variance.

Thank You,

Clarence Chaplin  
[cachaplin@mac.com](mailto:cachaplin@mac.com)  
651-695-0982



North



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## Project Location

Cullen LLC West Grand Avenue Apartments  
St. Paul, MN

Figure  
1